

MAUNE.RAICHLE.HARTLEY.FRENCH & MUDD, LLC

David L. Amell, Esq. (State Bar No. 227207)

Rabiah N. Oral, Esq. (State Bar No. 319905)

1900 Powell Street, Suite 200

Emeryville, California 94608

Telephone: (800) 358-5922

Facsimile: (314) 241-4838

damell@mrhfinlaw.com

roral@mrhfinlaw.com

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL R. MARCUS and VICTORIA L.
MARCUS,

Plaintiffs,

vs.

AIR & LIQUID SYSTEMS CORPORATION,
et al.,

Defendants.

Case No.: 4:22-cv-09058-HSG

[Alameda County Superior Court Case No.:
22CV021840]

**PROVISIONAL STIPULATION OF
DISMISSAL WITH PREJUDICE:
ELECTROLUX HOME PRODUCTS,
INC., AS SUCCESSOR IN INTEREST
TO COPES-VULCAN ; ORDER**

Courtroom: 02, 4th Floor
District Judge: Hon. Haywood S. Gilliam Jr.

Filed in State Court: November 15, 2022
Removed to NDCA: December 21, 2022
Trial Date: September 9, 2024.

1 **TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that, pursuant to Federal Rule of Civil Procedure Section
3 41(a)(1)(A)(i)(ii), Plaintiffs Michael R. Marcus and Victoria L. Marcus ("Plaintiffs") and
4 ELECTROLUX HOME PRODUCTS, INC., AS SUCCESSOR IN INTEREST TO COPES-
5 VULCAN ("Defendant") hereby stipulate as follows:

6 1. On November 15, 2022, Plaintiffs filed their Complaint for Personal Injury and Loss
7 of Consortium – Asbestos in the Superior Court of the State of California, Couty of Alameda
8 Case No. 22CV021840.

9 2. On December 21, 2022, the above action was removed to the United States District
10 Court, Northern District of California, Case No. 4:22-09058.

11 3. On August 29, 2024, Plaintiffs and Defendant reached an agreement of all claims in
12 this action.

13 4. The terms of settlement are not yet perfected, but Plaintiffs and Defendant agree that
14 this matter should not be litigated due to the agreed-upon resolution.

15 Based on the foregoing facts, Plaintiffs and Defendant stipulate and agree to the
16 following:

17 This Court should conditionally dismiss this Action in its entirety against
18 ELECTROLUX HOME PRODUCTS, INC., AS SUCCESSOR IN INTEREST TO COPES-
19 VULCAN, only, with prejudice. As the terms of settlement are not yet perfected, this Court will
20 retain jurisdiction over the matter for sixty (60) days.

21 DATED: September 3, 2024

Maune Raichle Hartley French & Mudd LLC

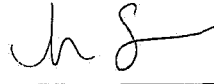
22 By: 

23 Rabiah N. Oral

24 Attorney for Plaintiffs

1 DATED: September 3, 2024

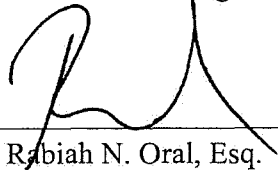
TUCKER ELLIS LLP

2 By: 
3 Nicole E. Gage
4 Attorneys for ELECTROLUX HOME
5 PRODUCTS, INC., as successor in interest
6 to COPES-VULCAN

7 **LOCAL RULE 5-1(i)(3) SERVICE AND FILING OF PLEADINGS AND OTHER**
8 **PAPERS**

9 In accordance with L.R5-1(i)(3), I, Rabiah N. Oral, attest that all signatories identified
10 above, and on whose behalf the filing is submitted, concur in the filing's content and have
11 authorized the filing.

12 DATED: September 3, 2024

13 By: 
14 Rabiah N. Oral, Esq.
15 Attorney for Plaintiffs
16
17
18
19
20
21
22
23
24
25
26
27


ORDER

Having read and considered the foregoing stipulation of parties, and good cause appearing:

PURSUANT TO STIPULATION, IT IS SO ORDERED that ELECTROLUX HOME PRODUCTS, INC., AS SUCCESSOR IN INTEREST TO COPES-VULCAN, only, is conditionally dismissed with prejudice from this Action in its entirety. Perfection of the terms of the settlement is to be completed within 60 days of this signed Order. The Court shall retain jurisdiction for 60 days from the date of this signed Order.

IT IS SO ORDERED.

DATED: 9/4/2024


Hon. Haywood S. Gilliam, Jr.
UNITED STATES DISTRICT COURT JUDGE